

A Basic Anti-Monopoly Law Position for Professional Sports

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ABSTRACT: *Anti-monopoly law is closely related to sports with the development of professional sports. Anti-monopoly law and exemption system become main focus of sports law. Exemption system in sports means anti-monopoly law cannot be applied to sport league. In recent two hundred years, more than six kinds of exemptions were established and made a lasting impact. However, an effort has been under way to amend them. Most exemptions are fading away. This diversion doesn't get noticed by Chinese mainland scholars, and toleration policy still is the dominant view in Chinese sports law circle even though there are two monopoly cases focusing on exclusive authorization already. In fact, exclusive authorization was abandoned in the west. Therefore, it's necessary to review the relationship between anti-monopoly law and sports law, the exemptions in sports and recent amendments to them, in order to find the right and basic anti-monopoly law position of professional sports.*

KEYWORDS: *sports law, anti-monopoly law, exemption, exclusive authorization, basic position*

1. Introduction

Anti-monopoly law exists to protect consumers from unfair business practices and anticompetitive behavior. Courts have historically applied anti-monopoly law in a unique fashion within the sports context, such as Major League Baseball's antitrust exemption.^[1] The application of antitrust law is different within the sports law context, as courts have noted that the sports industry is unique and presents issues not found in other industries.^[2] In the west, the long history of development, different industrial characteristics and once tolerant attitude of the state have made sports monopoly have its unique generation logic, forming exemptions at the political, economic, cultural and legal levels to oppose state intervention. These exemptions still play an effective and influential role in sports law and become an important part of European and American professional sports systems.

Chinese mainland scholars' concern about sports monopoly can date back to the beginning of this century, while the study on anti-monopoly exemption of

professional sports did not appear until 2005. Toleration policy has been insisted by most sports law scholars. Since the reform and opening up 40 years ago, the rule of law in sports has made great achievements, and judicial intervention in sports has become more and more frequent. The first case of Chinese sports monopoly caused by exclusive authorization, making the legal intervention of sports monopoly enter people's research horizon because of controversy on toleration policy.

This article explores the basic anti-monopoly law position for professional sports, which is fairly obscure in sports law as it is about two hundred years ago when the first exemption in sports was formed. In recent 200 years, both anti-monopoly law and professional sports have changed dramatically. Exclusive authorization has especially aroused disputes all over the world. A comprehensive combing of anti-monopoly law position for professional sports may be necessary. Part 2 of this article serves as a primer and explores how exclusive authorization has weaved its way into sports law. Part 3 is a historical review of all exemptions of sports monopoly, including amateur sports exemption, sports television and radio exemption, labor statutory exemption, baseball exemption, economic exemption and contract freedom and autonomy exemption. Part 4 investigates the proposed position of sports anti-monopoly in an attempt to shelter toleration policy in sports law. This section also addresses alternative to the exclusive authorization of sports.

2. Exclusive Authorization and Sports Law

Exclusive authorization is widely used in modern times. But its existence doesn't lead to its reasonability. While strengthening the protection of intellectual property rights, it also promotes the non-standardized use of exclusive mode of music copyright, which is criticized by anti-monopoly law. Similarly, with the increase of sports business value, competition performance industry become a new economic development trend of countries. The competition for commercial rights and interests of event resources enter into the white-hot stage, and exclusive authorized cooperation ways once prevailed in international sporting events, including the Olympic Games and World Cup, and domestic professional sporting events. Sports exclusive authorization is known to the public and becomes industry standard practice. In recent years, whether to exclude and limit competition has been highly concerned by all sides, especially in China. In China, the monopoly cases of *Yuechao v. Guangdong Football Association* and *Zhuchao*, and the monopoly cases of *Tiyu v. China Football Association* and *Yingmai* have occurred one after another, which have become new hot spots in the field of sports law.

2.1 *Yuechao V. Guangdong Football Association and Zhuchao*

In July 2009, Guangdong Province Football Association (hereinafter referred to as Guangdong Football Association) and Guangzhou Zhuchao Sports Management Co., LTD (hereinafter referred to as Zhuchao) signed the *Agreement on the New Five-a-side Indoor Football League of Guangdong Province*. Guangdong Football Association authorized Zhuchao to invest, organize, manage, operate and hold the

indoor five-a-side football league in Guangdong province, formulate relevant regulations, rules, standards and regulations, and determine the number of participating teams and the qualification of participating teams exclusively. Guangdong Football Association charged an annual service fee of 100,000 yuan. In addition, Zhuchao exclusively owned the intellectual property rights related to the indoor five-a-side football league, all the business operation and development rights, and all the economic benefits generated therefrom shall be owned by Zhuchao, which shall also bear the expenses and expenses related to the league operation. In August, Guangdong Football Association issued the approval letter of holding Guangdong indoor five-a-side football league to Zhuchao.

In 2010, the zhuchao league was successfully held. Due to disputes over the management rights of the league, conflicts occurred among shareholders. After a fierce struggle, Liu Xiaowu was driven out. Four clubs agreed to continue to participate in the league. Nine clubs quit and founded Guangdong Yuechao Sports Development Co., LTD (hereinafter referred to as Yuechao) in March 2011 in conjunction with investors such as Liu Xiaowu, to operate a basic similar five-a-side football league, the yuechao league. Liu Xiaowu became Yuechao 's chairman. Therefore, Guangdong had two five-a-side football leagues, and the level of the yuechao league is much higher than that of the zhuchao league. In July 2011, two other shareholders of Zhuchao sued Liu Xiaowu on the grounds that he was both a director of Zhuchao and the chairman of Yuechao in violation of the company law, which prohibits horizontal competition. In March 2012, the People's Court of Baiyun District, Guangzhou ordered Liu Xiaowu to immediately stop the competition with Zhuchao, stop performing his duties as chairman and general manager of Yuechao and compensate Zhuchao for 147,300 yuan of economic losses. Liu Xiaowu refused to accept and appealed to Guangzhou Intermediate People's Court.

In May 2012, The Supreme People's Court issued the provisions on several issues concerning the application of law in the trial of civil dispute cases caused by monopoly behavior. In June 2012, Liu Xiaowu and Yuechao sued to the Guangzhou Intermediate People's Court respectively on the grounds that the *Agreement on the New Five-a-side Indoor Football League of Guangdong Province* constituted a horizontal monopoly agreement. After the court rejected all the claims, the two appealed to the Guangdong Province Higher People's Court, claiming that the Agreement constituted a vertical agreement monopoly. The Guangdong Province Higher People's Court upheld the original judgment, and finally the two applied to The Supreme People's Court for a retrial, claiming that the Guangdong Football Association had imposed an administrative monopoly.

2.2 *Tiyu V. China Football Association and Yingmai*

In February 2017, the Shanghai Yingmai Culture Communication Co., LTD. (hereinafter referred to as the Yingmai) and the Chinese Super League Co., LTD. (hereinafter referred to as CSL) signed the *2017-2019 The Chinese Soccer Association League Official Pictures Cooperation Agreement*. Yingmai exclusively

enjoyed the "China Football Association Super League Official Pictures Cooperative Agency " title, official photography position and shooting area different from other medias and relevant shooting rights of league, clubs, coaching staffs and athletes. The former cooperative agency, Tiyu (Beijing) Culture Media Co., LTD. (hereinafter referred to as Tiyu) failed in the bid, and then sent Lu, Xia and others to pretend to be news media reporters into the field to shoot. And Tiyu displayed and sold pictures in the sports network of its operation, which could be suspected of false propaganda. Yingmai sued against Tiyu on the grounds of Tiyu's unfair competition. The Beijing Haidian District People's Court upheld the plaintiff's claim, ruling that the defendant should compensate the plaintiff for economic losses of 3 million yuan and reasonable expenses of 110,602 yuan.

Tiyu lodged an appeal immediately, and reported China Football Association(hereinafter referred to as CFA)'s administrative monopoly and abuse of dominant market position in real name to the Anti-monopoly Bureau of State Administration of Market Supervision and Management in September 2018. At the same time, the company filed a suit against CFA and Yingmai for their contract being vertical monopoly agreement and abuse of dominant market position to the Shanghai Intellectual Property Court. Because the antitrust investigation has not been decided, the lawsuit has not been closed. However, there are rumors that the anti-monopoly enforcement authorities will take a tough stance and find administrative monopolies and abuse of dominant market positions.

2.3 Anti-Monopoly Position of Chinese Sports Law

The judicial and administrative authorities have taken a different attitude towards exclusive sports authorization, with the court ruling that it does not constitute a monopoly and the anti-monopoly law enforcement agency, which is rumored to have launched an investigation, taking a tough stance in the case of Tiyu and finding it to be a monopoly. At the same time, the academic circle also formed a sharp opposition. Anti-monopoly experts have mixed opinions on this, while sports law scholars choose to stick to the particularity of sports, arguing that Chinese sports is still in the primary stage and in urgent need of policy support. Therefore, we should learn from the west, establish the exemption system of Chinese sports anti-monopoly law, and include exclusive authorization into the exemption scope.

Clearly, exclusive sports licensing has caused a lot of criticism. Opinions about it from sports law scholars are so divided. It can be seen from the above simple review: due to the gap between history and practice, there are great differences in understanding exclusive authorization of sports to exclude and limit competition; the formation of the consensus depends on the reorganization of the sports monopoly and the fine response of the anti-monopoly law.

Unfortunately, there is no systematic research in academia. In view of this, this paper attempts to analyze the attitude to the regulation of sports anti-monopoly law.

3. Exemption of Sports Monopoly

Western modern sports development paradigm can be traced to aristocracy's anti-business sports tradition during the 18th century. Since sports were rapidly and deeply merging with economy and stepped into professional sports period, strong and large cross-regional business alliances were built by suppressing and merging rivals. In these more than two hundred years, country or government kept an attitude of encouragement or acquiescence. At a time when the ills of competitive monopolies were more and more apparent, this Nonintervention position came to and end with the passage by an overwhelming majority of the world's first antitrust legislation, The Sherman Act, in 1890. Players and private companies used the anti-monopoly law as a weapon against teams and leagues, aiming to protect their own rights and interests and maintain market competition. Sports and anti-monopoly law were closely linked. Since the first sport monopoly case in 1914,^[3] the anti-monopoly law exemption system of professional sports in Europe and the United States has developed successively, and has already had considerable influence and scale after a hundred years of litigation and legislative choices.

Due to historical and practical reasons, countries in the Americas, Europe and Asia sought legal or economic means to eradicate that control over the market exceeded the ideal state and impeded the effective allocation of economic resources during the growth period of sports leagues. Sports business alliances were not destroyed. The paradox was that they achieved abnormal progress. It couldn't be denied that professional sports leagues, associations and organizations spared no effort to strengthen self-regulation to offset the impact of the anti-monopoly law, so as to ensure that the talents of professional athletes were constantly explored and distributed, and finally achieved a win-win situation of effective market competition and economic income.^[4] These self-regulation performances included active adjustment of the relationship between them and the anti-monopoly law, influencing decision makers in the legislative, judicial, and economic field in order to obtain the favor. Amateur sports exemption, sports television and radio exemption, labor statutory exemption, baseball exemption, economic exemption and contract freedom and autonomy exemption were formed. Anti-monopoly law enforcement authority and judicial authority always uphold the nonintervention position and respected sports leagues' rules.

3.1 Amateur Sports Exemption

The first is amateur sports exemption. The exemption of amateur sports is often neglected in the current sports anti-monopoly research. But it is not an unimportant defense. On the contrary, it is a defense with a long history. Section 6 of the Canadian Competition act of 1976 provides for exemption from amateur sports. The section defines amateur sports as "sports in which participants are not paid for their participation".^[5]

3.2 Sports Television and Radio Exemption

The second is sports television and radio exemption. Section 1 of the 1961 Sports Broadcasting Act of USA says antitrust laws do not apply to joint sponsorship agreements for television broadcasts of football, baseball, basketball and ice hockey.^[6] A semantic system of competition law has been built in Europe. In 1998, article 31 of the German Anti-Restriction Competition Law stipulated that sports associations shall enjoy exemption from the act of transferring the TV broadcasting rights of sports competitions. So, the Bundesliga is one of the few of Europe's big five leagues that still insists on exclusive rights.

3.3 Labor Statutory Exemption

By the end of the 18th century, American labor unions had emerged. In fact, unions represented all employees who compete with each other, and they were created to eliminate that competition. So, unions were seen as a combination to restrict labor supply, raise labor prices and antagonize management at first. At the same time, labor union activities such as strikes and boycotts were also a kind of collusion to restrict trade, forcing employers to make concessions in the negotiation process. Therefore, the union and its activities were strongly anti-competitive and criticized by sports leagues.

After the promulgation of the Sherman act in 1890, labor unions were in conflict with the Sherman act because of its article 1, which explicitly opposed the association and collusion restricting competition. To reconcile these contradictions, congress enacted The Clayton Act in 1914, which excluded labor unions and their activities from the scope of the antimonopoly law. Article 6 provides that human labor is not a commodity. The anti-monopoly law shall not prohibit the existence and operation of labor and labor unions for mutual assistance, zero share capital and non-profit purposes. However, unions and their members shall not illegally combine or conspire to restrict trade in violation of the monopoly law. Article 20 stipulated that, besides preventing irrevocable and no enough legal relief of property or property losses, the court and the judge may not impose limit or prohibit in hiring dispute cases involving employment terms or conditions between workers, and between workers and employers, and workers to be hired and workers seeking to be hired.^[7]

In 1932, congress enacted the Norris-LaGuardia Act again, which further strengthened the protection of labor unions by improving labor organization policies. Article 2 provides that, given the superior economic conditions and the government's support for property-owner organizations, corporations and other forms of association, unorganized individual workers are often helpless in the actual exercise of freedom of contract, protection of labor freedom and access to acceptable terms and conditions of employment. Although he could choose not to unite with other workers, the freedom to self organize, design the workers' representatives and negotiate terms and conditions for employment is still necessary. Therefore, in the design of the workers' representatives and self-organization and other for collective

bargaining or other mutual collusion activities shall not be restricted by intervention, employers and even agent oppression.^[8]

The two above amendments to the Sherman Act jointly established the labor statutory exemption from federal antitrust laws for unionization, collective bargaining and other complicit activities in sports leagues. Labor statutory exemption might be challenged only if the activities of the union had threatened the interests of the workers and the conditions for the dissolution of the union have been met.

3.4 Baseball Exemption

The fourth is baseball exemption. American baseball exemption is well known in sports antitrust law and even in the whole study of sports law, which easily occupies a corner of the library. American baseball exemption is a nonstatutory exemption established through litigation in private litigation. In *Federal Baseball Club of Baltimore, Inc. V. National League of Professional Baseball Clubs* in 1922, the Supreme Court held that baseball was not Interstate Commerce and therefore could not apply the Sherman act. This case became the beginning of Baseball's antitrust immunity.^[9]

Toolson v. New York Yankees in 1953 and *Flood v. Kuhn* in 1972 further strengthened baseball's exemption from antitrust law.^[10] In the case of the *Toolson v. New York Yankees* in 1953, baseball actually became clearly an interstate trade. But the majority of judges thought that even if baseball belonged to a kind of commercial performances, it was allowed to develop for more than 30 years under the situation of not being applied to the anti-monopoly law. Given that congress didn't cancel such exemption, it was enough to think that the real aim of congress is to carry on an exemption on organized baseball. So, baseball shall be exempted.^[11] In 1972, The *Flood v. Kuhn* case was triggered by The Reserve Clause, which controlled the normal flow of athletes. Even as the court expanded the concept of interstate commerce to recognize baseball as interstate commerce, it emphasized that since 1922, with the continued full attention of congress, baseball had been allowed to develop without interference from federal legislation. Congress continued to enact relief legislation, none of which prevented a baseball exemption. Therefore, congress should never have intended to include reservations in the antitrust statute. This was clearly due to the reticence and passivity of congress. The reservation system was eventually exempted.^[12]

The above cases established the historical tradition of baseball's antitrust exemption and marked the formation of baseball's antitrust exemption system. After *Flood v. Kuhn's* case, a dilemma emerged: the scope of baseball's exemption. Do the judges want to exempt baseball in whole or in part? The antitrust law's consistent tradition of uncertainty has led to a subsequent back-and-forth in American courts over the scope of baseball's exemption and their vacating between full immunity and limited immunity. It was not until 1998, when Congress was forced to intervene for the first time on the subject of baseball immunity and enact

the Curt Flood Act, the embarrassment was temporarily suspended. Under Section 3 of the Act, actions and agreements that directly affect or affect the employment of MLB players are subject to the same antitrust laws as other professional sports that affect interstate commerce. In the United States, a judicial review of a sports league's collective bargaining agreements is not allowed. If relief is needed, it must be obtained by dissolving the union. The Curt Flood Act also lists six exemptions for baseball that are not affected by the act, including intellectual property.^[13] At this point, the scope of baseball exemption is clearer, which has a far-reaching impact on the anti-monopoly law of sports.

3.5 Economic Exemption

The fifth is economic exemption. Anti-trust law is closely related to economic theory, and the particularity of its judicial practice lies in the dependence of law application on economic analysis to a large extent. Therefore, the importance of economic defense is self-evident.

Scholars support monopoly of economic believe that the following features have significant impact on team sports' development, organization and internal governance, and make them to eliminate or restrict competition to obtain the waiver possibilities:

(1) The particularity in sports products make them cannot be completed by a single club team or individual athletes and often need different clubs and players cooperation. In addition to stipulating the rules of competition, the league is the only buyer of the athlete market. Clubs and players cannot provide sports products once they leave the league;

(2) The beauty of sports lies in the uncertainty of the outcome, and if left to the competition, the big clubs will destroy the whole game. It is necessary to restrict competition to maintain competitive balance;^[14]

(3) The successful history of professional sports can prove that the exclusion and limitation of competitive activities adopted by the league can maximize consumer welfare;

(4) Only by properly excluding and restricting competition can we maintain the competitive strength with other sports in the fierce sports market.

3.6 Contract Freedom and Autonomy Exemption

The sixth is contract freedom and autonomy exemption. There is no denying that the line between public and private law in the world today is becoming blurred. The study of anti-monopoly law should not evade the thought of civil law, especially when the anti-monopoly law is rooted in civil law. No matter from the perspective of public interest or the theory of public choice, anti-trust law is to protect the market through intervention of contract, and the opposition between public and private law has always existed in this field. The intellectual property rights are acquired directly

by the articles of association^[15] or by means of formal terms,^[16] and so the organizer is the original owner of the rights to the sports events, which the government's normative documents attempt to endorse. The commercial development and utilization of the event and related derivatives are in line with the legal concept of "rights", with the premise is not to violate the basic principles of civil law on abuse of rights. Take the Tiyu case for example because based on based on venue control rights and events intangible property rights CFA has the right to control the behavior in the venues, has the right to impose direct restriction on or impose indirect restriction by agreement with the third party, including photographers and media, on the produce, use and earnings of the derivatives of the event production, including event pictures, and has the right to safeguard its lawful and legitimate rights and interests by controlling the access of venues in accordance with the principle of cleaning.

In addition, the governance of industry association is no longer a legal and economic issue, but also has political discourse color. Based on the social rationality of contract implementation under the dual dilemma of market failure and government failure, group autonomy was established, recognized and supported by the government, and finally gained legitimacy. It should be noted that under the background of "decoupling" between sports industry associations and administrative departments, the autonomy of the industry returns to the perspective of contract again, which also provides a new legitimacy and rationality basis for the exemption of autonomy.

4. Amendments to the Monopoly Exemption

4.1 Amendments to the Monopoly Tradition

In contrast to the widely watched sports monopoly exemption, an effort has been under way to amend it for more than two decades.

The exemption of amateur sports has been somewhat weakened by the denial by the courts of the United States in the above-mentioned use of the exemption by amateur sports organizations.^[17] So far, Article 6 of the Canadian Competition Law and the exemption of amateur sports have not been challenged, as relevant cases have not occurred. So the exemption of amateur sports is "fading away".

Only the United States is still insisting on the exemption for sports television broadcasting. Germany made three amendments to Anti-Restriction Competition Law against competition limitation after the sixth amendment in 1998. In 2017, the Chinese translation of the law had not included the exemption for television broadcasting rights.

Criticism of baseball's exemption has been heard since 1922. Few Supreme Court decisions have been so derided, and many scholars have tried to argue against baseball's non-statutory immunity,^[18] drawing similar derision from "the day of the decision was not justice Holmes's happiest day."^[19] In fact, after the Toolson v. New

York Yankees case of 1953, baseball's business structure was embraced and emulated by other sports.^[20] They demanded the same treatment, but the Supreme Court ruled in a series of rulings that excluded other professional sports, such as football, basketball and boxing.^[21] How important are the perceptions and preferences of law enforcement officers, as shown in the decisions of the Federal Baseball Club of Baltimore, Inc., v. National League of Professional Baseball Clubs, Toolson v. New York Yankees, and Flood v. Kuhn, that the preferences of U.S. judges for Baseball "flow." To the extent that our current antitrust decisions sometimes have nothing to do with any serious academic discipline, such as law, economics or political science, the exemption is even more moot.

The economics exemption is also facing a severe legal challenge in the latest ruling on exclusive licensing agreements. In the preceding case, *Am. Needle, Inc. V. NFL*, the U.S. Supreme Court conducted a functional analysis in a historic move away from traditional antitrust formalism and declared that the single-entity defense does not apply to sports leagues.^[22] Because even if sports leagues adopt the independent corporate model, the interests of each member do not always coincide with those of the league. Licensing agreements such as those of sports leagues need to be evaluated on the basis of a reasonable principle. In their final reasoning, the judges made it clear that they had also noted that the pursuit of reasonable interests in sports leagues, including competitive balance, was important but did not preclude the application of reasonable principles.^[23]

Now there is a huge misunderstanding of sports antitrust exemption. European and American professional sports did not get sectoral exemption in the anti-monopoly law, but follow the principle of "minimum exemption plus individual exemption". Apart from amateur sports statutory exemption, television and broadcast statutory exemption, football club union statutory exemption, special baseball exemption and labor exemption, U.S. and European countries adopt a kind of generalized exemption for sports without discrimination, that is an individual exemption model instead of a block exemption. Only those who have passed the case review and meet the exemption conditions are allowed to exist. The external intervention centered on judicature has not been relaxed or even strengthened.^[24] Sports organizations continue to strengthen their autonomy, adjust their rules of the game to meet the intervention requirement of the anti-monopoly law, and even test the law by example and explore the boundary of the anti-monopoly law through court decisions, which are also important reasons for the frequent failure of anti-monopoly private litigation in sports rules relief. This way, which is neither illegal governance nor autonomous governance, can be considered as the third way of "reflective cooperation" and "elimination cooperation" between sports associations and rule of law proposed by Gunther Teubner, a famous legal sociologist and German legal sociology master.

To sum up, the anti-monopoly law of sports intervention tradition has been established in the west and continues to play a positive role. Looking back on the track of the sports law, it can be seen that in the process of the sports organization rejecting the interference of the state public power, the important mission of the sports law is to strengthen the external intervention with the administration of justice

as the core, and realize the balance between autonomy and rule of law, autonomy and legal power. In fact, anti-monopoly law scholars argued that government regulation directly replacing market rules remains unchanged, and there was no need for sectoral exemption. In short, in view of our country having no baseball tradition and other exemptions having been amended at abroad, and facts of frequent review by antitrust law and intervention in western professional sports in 1970s and 1980s though the degree of professional sports was not better than the current development in our country, tolerance policy and judgement of establishing the antimonopoly law exemption system at the present stage of Chinese sports seem not right. The introduction of labor exemptions may be considered in the event of substantial negotiations between unions and management in the future. Therefore, in the context of the fierce monopoly controversy caused by the exclusive authorization of sports, the theory of " sports development periodical tolerance " is already superficial, and a systematic response based on the analysis paradigm of anti-monopoly law is more necessary.

4.2 Alternative to Exclusive Authorization

Reviewing the understanding of sports monopoly and its exemptions since the beginning of this century, it is not appropriate to insist on the tolerant policy and exemption system of anti-monopoly law. The mission of sports law is always to strengthen the external intervention with judicature as the core, promote good governance in sports, and realize the balance between autonomy and rule of law, autonomy and legal power.

Through a systematic analysis of the recent sports monopoly cases caused by exclusive authorization, it is found that the exclusive authorization of sports actually has the effect of excluding, restricting competition and hurting consumers' welfare. Under the influence of the current judicial conservative definition of sports-related market, it is easy to constitute the abuse of dominant position and vertical agreement monopoly in related market. Because the current decoupling reform is not complete, the phenomenon that sports exclusive authorization is subject to the interference of administrative power still exists.

The governance of exclusive authorization for sports in the world is in a relatively chaotic state. There is not only limited acquiescence of laws, but also sports leagues that have already consciously turned to joint authorization. Even if there is a foreign country, as long as the effect of specific restrictions on discrimination is not obvious, and the judicial neutrality law has limited acquiescence, there is no doubt that it still needs to undergo domestic law review. Therefore, in order to prevent the punishment of anti-monopoly law, this paper suggests that it is appropriate to adopt joint authorization method.

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